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NOTICE OF ALLOWANCE AND FEE(S) DUE

26137

7590

07/13/2010

PATENT DEPARTMENT
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

EXAMINER

VIEZERIS, JAMES A

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 07/13/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/014,864	12/11/2001	Michael J. Tari	ICOR-004	3644

TITLE OF INVENTION: METHOD AND SYSTEM FOR MANAGING REQUESTS FOR PROPOSALS FOR ELECTRONIC TRADING OF FINANCIAL INSTRUMENTS

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$0	\$0	\$1510	10/13/2010

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. **PROSECUTION ON THE MERITS IS CLOSED.** THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN **THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE** OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. **THIS STATUTORY PERIOD CANNOT BE EXTENDED.** SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issued on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail** **Mail Stop ISSUE FEE**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
or Fax **(571)-273-2885**

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

26/137 7590 07/13/2010

PATENT DEPARTMENT
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

Certificate of Mailing or Transmission

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/014,864 12/11/2001

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nonprovisional	NO	\$1510	\$0	\$0	\$1510	10/13/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
VEZERIS, JAMES A	3693	705-037000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a **Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 _____
(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 _____
3 _____

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent): ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
☐ Publication Fee (No small entity discount permitted)
☐ Advance Order - # of Copies _____

4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
☐ Payment by credit card. Form PTO-2038 is attached.
☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number _____ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature _____ Date _____
Typed or printed name _____ Registration No. _____

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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PATENT DEPARTMENT
SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
FOUR TIMES SQUARE
NEW YORK, NY 10036

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1036 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1036 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

Notice of Allowability**Application No.**

10/014,864

Examiner

JAMES A. VEZERIS

Applicant(s)

TARI ET AL.

Art Unit

3693

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to an amendment filed 8/20/2009.
2. ☒ The allowed claim(s) is/are 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

/Stefanos Karmis/
Primary Examiner, Art Unit 3693

Detailed Action

1. The following communication is in response to telephone interviews held on 6/29/2010 and 6/30/2010 with Gene Indyk.

Status of Claims

2. Claims 1-9, 11, 12, 14, and 15 are currently amended.
3. Claims 10 and 13 are previously presented.
4. Claims 1-15 are allowed.

Allowable Subject Matter

5. Claims 1-15 are allowed, subject to an examiner's amendment described below.

EXAMINER'S AMENDMENT

6. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Gene Indyk on 6/30/2010.

THE APPLICATION HAS BEEN AMENDED AS DETAILED IN FOLLOWING PAGES:

Claim 1.

A method of using a computer system to electronically trade financial instruments among a plurality of traders, including a requestor and two or more responders, comprising:

receiving at said computer system a request for proposal ("RFP") on a financial instrument from said requester, said requester associated with a requestor workstation, said RFP comprises a two-way structure which allows for both offers and bids but not comprising an offer to trade that can be hit or lifted and;

receiving at said computer system two or more responses to said RFP, each said responder associated with a responder workstation, each said responder workstation providing at least one said response;

said computer system transmitting said responses to said requestor workstation;

said computer system allowing said requestor to trade on said responses during a first period, each trader of said plurality of traders not being allowed to trade on said responses during said first period unless said trader comprises said requestor; and

at the expiration of said first period, said computer system allowing said responders to trade on said responses during a second period, each trader of said plurality of traders not being allowed to trade on said responses during said second period unless said trader comprises said requestor or said responders.

Claim 2.

The method of claim 1 further comprising said computer system matching orders at the expiration of said first period and before allowing said responders to trade on said responses.

Claim 5.

The method of claim 1, wherein said requestor and said responders are associated with trading groups, said method further comprising said computer system transmitting said responses to said trading group associated with said requestor and each trading group associated with said responders, each trader of said plurality of traders not receiving said responses unless said trader comprises a trader in said trading group associated with said requestor or at least one trading group associated with said responders.

Claim 6.

The method of claim 5 further comprising said computer system allowing traders in said trading group associated with said requestor to trade on said responses during said first period, each trader of said plurality of traders not being allowed by said computer system to trade on said responses during said first period unless said trader comprises a trader in said trading group associated with said requestor.

Claim 7.

The method of claim 6 further comprising said computer system allowing traders in each said trading group associated with said responders to trade on said responses during said second period.

Claim 8.

A method of using a computer to electronically trade financial instruments among a plurality of traders, including a requestor and two or more responders, each trader of

said plurality of traders being associated with one or more trading groups, said method comprising:

receiving at said computer system a request for proposal ("RFP") on a financial instrument from a requestor associated with a requestor workstation, said RFP comprising a two-way structure which allows for both offers and bids but not comprising an offer to trade that can be hit or lifted;

during a first response period, receiving at said computer system two or more responses to said RFP from said responders, each responder associated with a responder workstation, each said responder providing at least one said response;

said computer system transmitting said responses to said requestor;

said computer system allowing said requestor to trade on said responses during a first exclusivity period, each trader of said plurality of traders not being allowed to trade on said two or more responses during said first exclusivity period unless each said trader is associated with one or more trading groups associated with said requestor, said first response period and said first exclusivity period being allowed to overlap; and

at the expiration of said first exclusivity period, said computer system allowing said responders to trade on said responses during a second exclusivity period, each trader of said plurality of traders not being allowed to trade on said responses during said second exclusivity period unless each such trader is associated with one or more trading groups associated with said requestor or is associated with one or more trading groups associated with said responders.

Claim 12.

A system for electronically trading financial instruments among a plurality of traders, including a requestor and two or more responders, comprising:

a first workstation associated with a requestor, said first workstation adapted to accept requests for proposal ("RFP") from said requestor, said RFP comprising a two-way structure which allows for both offers and bids but not comprising an offer to trade that can be hit or lifted;

a plurality of responder workstations each associated with a responder, each said responder workstation adapted to accept responses to said RFPs from at least one said responder;

a server coupled to said first workstation and each said responder workstation, said server adapted to:

receive said RFP from said first workstation;

receive two or more responses from two or more responder workstations;

transmit said responses to RFP to said first workstation and each of said plurality of responder workstations from which said server received a response, each workstation of said plurality of responder workstations not displaying said two or more responses to RFP unless said responder workstation sent a response to said RFP;

allow said requestor to trade on said responses to RFP during a first period, each trader of said plurality of traders not being allowed to trade on said response during said first period unless each said trader comprises said

requestor; and

at the end of said first period, allow said responders to trade on said responses during a second period, each trader of said plurality of traders not being allowed to trade on said responses during said second period unless each said trader comprises said requestor or said responders.

Claim 14.

A system for electronically trading financial instruments among a plurality of traders, comprising a server adapted to:

receive a request for proposal ("RFP") on a financial instrument from a requestor, said RFP comprising a two-way structure which allows for both offers and bids but not comprising an offer to trade that can be hit or lifted;

receive two or more responses to said RFP from two or more responders, each said responder providing at least one said response;

transmit said two or more responses to said requestor and said two or more responders, each trader of said plurality of traders not receiving said two or more responses unless each said trader comprises said requestor or one or more responders;

allow said requestor to trade on said responses during a first period, each trader of said plurality of traders not being allowed to trade on said response during said first period unless each said trader comprises said requestor; and

allow said two or more responders to trade on said responses during said second period at the expiration of said first period, each trader of said plurality of traders not

being allowed to trade on said response during said second period unless each said trader comprises said requestor or said two or more responders.

Claim 15.

A method of using a computer system to electronically trade financial instruments among a plurality of traders, comprising:

receiving at said computer system a request for proposal ("RFP") on a financial instrument from a requestor, said RFP comprising a two-way structure which allows for both offers and bids but not comprising an offer to trade that can be hit or lifted;

receiving at said computer system two or more responses to said RFP from two or more responders, each said responder providing at least one said response;

said computer system transmitting said two or more responses to said requestor;

said computer system allowing said requestor to trade on said two or more responses during a first period, each said trader of said plurality of traders not being allowed to trade on said two or more responses during said first period unless said trader comprises said requestor; and

at the expiration of said first period, said computer system allowing said two or more responders to trade on said two or more responses during a second period, each said trader of said plurality of traders not being allowed to trade on said two or more responses during said second period unless said trader comprises said requestor or said two or more responders.

Reasons for Allowance

7. The closest prior art that the examiner has been able to locate is Lutnick et al, U.S. PG-Pub 2002/0169703. Lutnick provides methods trading fixed income securities through requesting offers for a security. However, Lutnick does not allow for request which can not be hit or lifted by other traders. Further Lutnick does not allow for multiple phases of trading in which only certain traders are allowed to trade.

Examiner notes a system such as Bloomberg allows for a user to request trades which do not have to be traded. However, Bloomberg does not allow for multiple phases of trading as does the current application.

The following is a formal statement of reasons for allowance:

8. Claims 1, 8, 12, 14, and 15 are allowed because the best prior art of record, Lutnick, alone or in combination, neither discloses nor fairly suggest the limitations, in a method or system the steps of:

receiving at said computer system a request for proposal ("RFP") on a financial instrument from said requester, said requester associated with a requestor workstation, said RFP comprises a two-way structure which allows for both offers and bids but not comprising an offer to trade that can be hit or lifted and;

receiving at said computer system two or more responses to said RFP, each said responder associated with a responder workstation, each said responder workstation providing at least one said response;

said computer system transmitting said responses to said requestor workstation;

said computer system allowing said requestor to trade on said responses during a first period, each trader of said plurality of traders not being allowed to trade on said responses during said first period unless said trader comprises said requestor; and

at the expiration of said first period, said computer system allowing said responders to trade on said responses during a second period, each trader of said

plurality of traders not being allowed to trade on said responses during said second period unless said trader comprises said requestor or said responders.

Claims 2-7, 9-11, and 13 are also allowable for the same reason discussed above, in that they are dependent on allowed Claims 1, 8, 12, 14, and 15. As a final matter any comments considered necessary by Applicant must be submitted no later than the payment of the issue fee and; to avoid processing delays, should preferably accompany the issue fee. Such submission should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JAMES A. VEZERIS whose telephone number is (571)270-1580. The examiner can normally be reached on Monday-alt. Fridays 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Kramer can be reached on 571-272-6803. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/JAMES A VEZERIS/
Examiner, Art Unit 3693

7/3/2010

/Stefanos Karmis/
Primary Examiner, Art Unit 3693